

§915.115

determine whether the application shall be approved or denied.

(c) Approval of the application shall be evidenced by the issuance to the applicant, by the Manager of the Avocado Administrative Committee on its behalf, of one or more exemption certificates which shall authorize the handling of the quantity of the applicant's avocados which the committee has determined is mature.

(d) If the application is denied, the applicant shall be informed of such denial by written notice stating the reasons therefor.

[19 FR 5439, Aug. 26, 1954. Redesignated at 26 FR 12751, Dec. 30, 1961]

§915.115 Nomination procedure.

(a) Any grower who resides outside the production area and desires to be represented in a nomination meeting by a duly authorized agent and to have such grower's vote cast by such agent in the nomination and election of nominees for grower members and alternate members to fill positions on the Avocado Administrative Committee, as provided in §915.22(b)(2), shall submit to the committee, not later than January 20, a written statement containing the following:

- (1) Name of grower;
- (2) Mailing address;
- (3) Location of each avocado grove (either legal or from established landmarks);
- (4) Number of avocado trees owned;
- (5) Number of 55-pound units of avocados marketed to date during the current season;
- (6) Name of the handler of the fruit marketed;
- (7) Authorization, including the name and address, of the person who is to represent said grower at the nomination meeting.

(b) Any grower who has not filed the statement as prescribed in paragraph (a) of this section must be present at the nomination meeting to be eligible to have his vote counted in connection with the nomination and election of nominees.

(c) Any grower who, pursuant to the provisions of paragraph (a) of this section, has authorized an agent to cast such grower's vote, may rescind such authorization by appearing at the nom-

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ination meeting and exercising his right to vote in person.

[21 FR 78, Jan. 5, 1956. Redesignated at 26 FR 12751, Dec. 30, 1961, as amended at 48 FR 2519, Jan. 20, 1983]

§915.120 Handler registration.

(a) Each handler who desires to handle avocados pursuant to the exceptions in §915.10 shall, prior thereto, register with the committee. Such registration shall be by application for registration filed with the Avocado Administrative Committee on a form, prescribed and furnished by the committee, which shall contain the following information:

- (1) Name and address of applicant;
- (2) Applicant's principal place(s) of business;
- (3) Type of business organization (individual, corporation, partnership, etc.);
- (4) If other than an individual, the names and addresses of officers, partners, etc.;
- (5) Nature of business (handler, trucker, wholesaler, etc.);
- (6) Number of years engaged in avocado business;
- (7) Estimated seasonal volume of avocados handled;
- (8) Place within production area where the avocados will be prepared for market, and name and address of person responsible for such preparation;
- (9) Name and address of three references, one of which shall be a bank;
- (10) Certification of accuracy of information furnished; and
- (11) An agreement to comply with the provisions of this part.

(b) When the committee receives an application for registration, it shall issue the applicant a certificate of registration, if it determines based upon an investigation that the applicant may be expected to handle avocados in accordance with this part.

(c) If it is determined from the available information that the applicant is not entitled to be registered with the committee, he shall be so informed by written notice stating why the certificate of registration was not issued.

(d) Any certificate of registration issued to a handler pursuant to this section may be canceled by the committee under circumstances which